

BEFORE THE SOUTH CAROLINA PUBLIC SERVICE COMMISSION

Docket No. 2016-262-T

Application for Sale, Transfer, or Lease of Certificate of Public Convenience and Necessity for  
Operation of Motor Vehicle Carrier

In RE: DG Delivery Services, LLC

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MOTION FOR INTERIM RELIEF

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Pursuant to Rule 103-829, *Motions*, Applicant DG Delivery Services, LLC (“Applicant”), a South Carolina limited liability company, hereby requests permission to operate pursuant to Class E Certificate No. 9747 pending the consideration by the Commission of its Application.

By Purchase of Business Agreement (“Agreement”) entered into on May 27, 2016 that is included in the Application, Danny N. Grantham, Seller, and Docugraphics LLC (“Docugraphics”), Purchaser, agreed to purchase all of the assets of Danny Grantham d/b/a DG Delivery Services including Certificate No. 9747 (“Certificate”) that is attached hereto and made a part hereof as Exhibit A. Docugraphics assigned it the assets to Applicant by Bill of Sale And Assignment dated June 23, 2016. The Certificate provides the following authority:

HOUSEHOLD GOODS, as defined in 26 S.C.CODE ANN.  
REG.103-210(1) (SUPP.2010):  
BETWEEN POINTS AND PLACES IN CHARLESTON,  
BERKELEY AND DORCHESTER COUNTIES TO POINTS  
AND PLACES IN SOUTH CAROLINA.

Rule **103-156. *Unauthorized Use of Operating Rights Prohibited***, states that a motor carrier may not permit the use of its Certificate without Commission approval. Pursuant to Rule **103-135. *Sale, Lease or Other Transfer of a Certificate of PC&N or FWA***, sets forth the standards for the sale of a Certificate. Applicant has simultaneously filed the Application for approval of the sale. It is anticipated that the consideration of the application by the Commission will take

approximately 60 days. Applicant is now seeking the Commission's approval to operate under Certificate 9747. Rule **103-803**. *Waiver of Rules*. states:

In any case where compliance with any of these rules and regulations produces unusual hardship or difficulty, or where circumstances indicate that a waiver of one or more rules or regulations is otherwise appropriate, such rule or regulation may be waived by the Commission upon a finding by the Commission that such waiver is not contrary to the public interest.

Applicant respectfully requests that the Commission permit it to operate under Certificate No. 9747 pending its consideration of the Application. As is contained in the Application, Applicant has complied with Commission's tariff requirement utilizing for the present Transferor's tariff, and upon approval of this Motion will implement the binding of insurance as set forth on page 6 of 12, *Insurance Quote* of the Application..

Respectfully submitted,

A handwritten signature in blue ink that reads "David Popowski". The signature is written in a cursive style and is positioned above a horizontal line.

David Popowski (SC Bar # 4511)  
Popowski Law Firm, LLC  
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ATTORNEY FOR APPLICANT

July 5, 2016

# **EXHIBIT A**



Office of Regulatory Staff  
Columbia, South Carolina



CLASS E

PSC Docket No. 2004-210-T  
PSC Order No. 2005-58  
ORS Certificate No. 9747

Certificate of Public Convenience and Necessity  
For the Operation of  
MOTOR VEHICLE CARRIERS

NAME: DANNY GRANTHAM D/B/A DG DELIVERY SERVICES  
ADDRESS: 526 ST. ANDREWS BLVD., CHARLESTON, SC 29407

is hereby authorized to furnish motor freight service over irregular routes, as follows:

**HOUSEHOLD GOODS, as defined By R. 103-210 (1)**

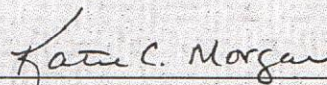
**BETWEEN POINTS AND PLACES IN CHARLESTON, BERKELEY, AND DORCHESTER  
COUNTIES TO POINTS AND PLACES IN SOUTH CAROLINA**

**THIS CERTIFICATE** is issued upon finding by the Public Service Commission, that Public Convenience and Necessity require such operation, under the terms of the Motor Vehicle Carriers' Law (Sections 58-23-10 – 58-23-60 of the South Carolina Code of Laws, 1976, and amendments thereto), and,

**CONDITIONED:** That all motor vehicles operated by virtue of this Certificate shall be so operated in accordance with the said Motor Vehicle Carriers' Law and the Rules and Regulations issued thereunder, and,

**CONDITIONED FURTHER:** That neither this Certificate nor the rights granted herein shall be sold, assigned, leased, transferred, mortgaged, pledged, or otherwise hypothecated, unless first approved by the Commission.

DATED at Columbia, South Carolina, this 17<sup>th</sup> day of March A.D., 2005.

  
Katie C. Morgan, Director  
Transportation, Telecommunications  
Water/Wastewater